

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

**PORT HAMILTON REFINING AND  
TRANSPORTATION, LLLP,**

**PLAINTIFF,**

v.

**LIMETREE BAY TERMINALS, LLC,**

**DEFENDANT.**

**CASE NO. 1:24-CV-00004**

**PORT HAMILTON'S MOTION TO DISMISS COUNTERCLAIM**

Port Hamilton Refining and Transportation, LLC (“Port Hamilton”) moves to dismiss Limetree Bay Terminals, LLC d/b/a Ocean Point Terminals (“Ocean Point”) counterclaim under Fed. R. Civ. P. 12(b)(6) because Ocean Point fails to plausibly state a claim upon which relief can be granted and because it lacks standing to sue Port Hamilton under the Asset Purchase Agreement described in the counterclaim.

Respectfully submitted,

**ANDREW C. SIMPSON, P.C.,  
Counsel for Port Hamilton Refining and  
Transportation, LLLP**

Dated: May 30, 2024

/s/ Andrew C. Simpson  
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